

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 29, 2016

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent – Horman. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Tyra Peone, Page.

3RD ORDER

Approval of Journal

January 29, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighteenth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

4TH ORDER

Consideration of Messages from the Governor and the Senate

January 28, 2016

Mr. Speaker:

I transmit herewith [S 1197](#) and [S 1206](#) which have passed the Senate.

NOVAK, Secretary

[S 1197](#) and [S 1206](#) were filed for first reading.

5TH ORDER

Report of Standing Committees

January 29, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HR 1](#), [H 391](#), [H 392](#), [H 393](#), [H 394](#), [H 395](#), [H 396](#), [H 397](#), [H 398](#), and [H 399](#).

WILLS, Chairman

[HR 1](#) and [H 399](#) were referred to the Ways and Means Committee.

[H 391](#) was referred to the Revenue and Taxation Committee.

[H 392](#) was referred to the Education Committee.

[H 393](#), [H 394](#), and [H 395](#) were referred to the Resources and Conservation Committee.

[H 396](#), [H 397](#), and [H 398](#) were referred to the Commerce and Human Resources Committee.

January 28, 2016

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 379](#) and recommend that it do pass.

DEMORDAUNT, Chairman

[H 379](#) was filed for second reading.

January 28, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, return misdirected [H 346](#) to the Desk.

WILLS, Chairman

[H 346](#) was referred to Revenue and Taxation Committee.

January 29, 2016

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 359](#), [H 360](#), and [H 376](#) and recommend that they do pass.

COLLINS, Chairman

[H 359](#), [H 360](#), and [H 376](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

8TH ORDER

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 400

BY ERPELDING

AN ACT

RELATING TO MINIMUM WAGES; AMENDING SECTION 44-1502, IDAHO CODE, TO REVISE THE CALCULATION OF MINIMUM WAGES FOR EMPLOYEES, TO REVISE THE CALCULATIONS OF THE WAGES FOR TIPPED EMPLOYEES AND TO REVISE THE CALCULATION OF WAGES FOR EMPLOYEES UNDER TWENTY YEARS OF AGE.

HOUSE BILL NO. 401

BY RUDOLPH

AN ACT

RELATING TO ABSENTEE VOTING; AMENDING CHAPTER 10, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1002A, IDAHO CODE, TO PROVIDE FOR MAIL-IN ABSENTEE BALLOTS WITH PERMANENT STATUS; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 402

BY JORDAN AND RUDOLPH

AN ACT

RELATING TO PUBLIC WORKS CONTRACTS; TO PROVIDE A SHORT TITLE; REPEALING CHAPTER 10, TITLE 44, IDAHO CODE, RELATING TO PUBLIC WORKS CONTRACTS; AMENDING TITLE 44, IDAHO CODE,

BY THE ADDITION OF A NEW CHAPTER 10, TITLE 44, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE PREFERENCE FOR RESIDENT CONTRACTORS WITH LIMITATIONS, TO PROVIDE FOR DECERTIFICATION, TO PROVIDE DENIAL OF APPLICATION FOR RESIDENCY, TO PROVIDE LIMITATION ON SUBCONTRACTING BY RESIDENT CONTRACTORS, TO PROVIDE PREFERENCE FOR IDAHO LABOR AND MATERIALS IN CONTRACTS, TO PROVIDE PREFERENCE FOR IDAHO MATERIALS AND IDAHO AGRICULTURAL PRODUCTS REQUIRED IN PUBLIC PURCHASES WITH EXCEPTIONS, TO PROVIDE FOR STATEMENT OF IDAHO MATERIALS PREFERENCE IN REQUESTS FOR BIDS AND PROPOSALS, TO REQUIRE IDAHO MATERIALS PREFERENCE REQUIRED IN CONSTRUCTION OR MAINTENANCE OF PUBLIC STRUCTURES AND TO PROVIDE FOR GOVERNING OF FEDERAL FUNDS BY FEDERAL LAW; DECLARING AN EMERGENCY AND PROVIDING APPLICATION.

HOUSE BILL NO. 403
BY APPROPRIATIONS COMMITTEE
AN ACT

REDUCING THE APPROPRIATION TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2016; APPROPRIATING AND TRANSFERRING MONEYS TO THE FEDERAL GRANT FUND WITHIN THE IDAHO STATE POLICE FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 404
BY LOCAL GOVERNMENT COMMITTEE
AN ACT

RELATING TO URBAN RENEWAL; AMENDING SECTION 50-2007, IDAHO CODE, TO PROVIDE FOR REIMBURSEMENT OF TELECOMMUNICATIONS SERVICE PROVIDERS BY URBAN RENEWAL AGENCIES FOR RELOCATION OF FACILITIES, TO DEFINE TERMS AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 405
BY LOCAL GOVERNMENT COMMITTEE
AN ACT

RELATING TO FIRE PROTECTION DISTRICTS; AMENDING SECTION 31-1408, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE RESIDENCE REQUIREMENTS OF FIRE PROTECTION COMMISSIONERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1409, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE RESIDENCE REQUIREMENTS OF FIRE PROTECTION COMMISSIONERS AND TO CLARIFY VERBIAGE; AMENDING SECTION 31-1410, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING RESIDENCE REQUIREMENTS FOR FIRE PROTECTION COMMISSIONERS, TO REVISE VERBIAGE REGARDING TERMS IN OFFICE, TO REMOVE CERTAIN SUBDISTRICT PROVISIONS, TO PROVIDE REQUIREMENTS REGARDING THE BOARD OF FIRE PROTECTION COMMISSIONERS' RESPONSIBILITY TO REVISE SUBDISTRICTS, TO PROVIDE FOR NOTICE OF REVISED SUBDISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING CHAPTER 14, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-1410B, IDAHO CODE, TO ESTABLISH A PROCESS TO

DECREASE THE SIZE OF A FIRE PROTECTION BOARD AND TO PROVIDE FOR TERMS OF OFFICE.

HOUSE BILL NO. 406
BY LOCAL GOVERNMENT COMMITTEE
AN ACT

RELATING TO RECREATIONAL WATER AND/OR SEWER DISTRICTS; AMENDING SECTION 42-3202A, IDAHO CODE, TO PROVIDE THAT ANNEXATION DOES NOT CHANGE THE STATUS OF A RECREATIONAL WATER AND/OR SEWER DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-3210, IDAHO CODE, TO PROVIDE WHEN DIRECTOR ZONES ARE CREATED AND TO PROVIDE FOR THE APPOINTMENT OF A PERSON-AT-LARGE; AMENDING CHAPTER 32, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-3211b, IDAHO CODE, TO PROVIDE FOR THE CREATION OF BOARD OF DIRECTOR ZONES; AND AMENDING CHAPTER 32, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-3240, IDAHO CODE, TO PROVIDE PROCEDURES FOR AN ANNEXATION OR WITHDRAWAL OF AREA IN A CITY.

HOUSE BILL NO. 407
BY MCCROSTIE
AN ACT

RELATING TO ELECTIONS; TO PROVIDE A SHORT TITLE; AMENDING CHAPTER 4, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-409, IDAHO CODE, TO PROVIDE FOR ONLINE REGISTRATION; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 408
BY ERPELDING
AN ACT

RELATING TO UNIVERSAL SERVICE FUND; REPEALING SECTION 62-610, IDAHO CODE, RELATING TO A UNIVERSAL SERVICE FUND; AMENDING SECTION 62-610A, IDAHO CODE, TO REVISE PURPOSE; AMENDING SECTION 62-610B, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 62-610C, IDAHO CODE, TO REVISE UNIVERSAL SERVICE PROVISIONS; AMENDING SECTION 62-610D, IDAHO CODE, TO REVISE ELIGIBLE COMMUNICATIONS CARRIERS; AMENDING SECTION 62-610E, IDAHO CODE, TO REVISE PROVISIONS REGARDING DESIGNATING SERVICE AND SUPPORT AREAS; AMENDING SECTION 62-610F, IDAHO CODE, TO REVISE PROVISIONS FOR HIGH-COST SUPPORT AND TO CAP THE AMOUNT OF THE SURCHARGE; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 409
BY MCCROSTIE
AN ACT

RELATING TO COUNTY WORKFORCE DEVELOPMENT; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 8, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-880, IDAHO CODE, TO DEFINE A TERM, TO PROVIDE FOR LOCAL WORKFORCE DEVELOPMENT PROGRAMS AND TO PROVIDE FOR PROPERTY TAX EXEMPTIONS; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602MM, IDAHO CODE, TO PROVIDE A COUNTY OPTION WORKFORCE

DEVELOPMENT PROPERTY TAX EXEMPTION FOR A TIME CERTAIN; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 410

BY ERPELDING

AN ACT

RELATING TO INCOME TAX CREDITS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029M, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT TO A RESIDENT INDIVIDUAL OR PART-YEAR RESIDENT INDIVIDUAL BASED ON A PERCENT OF THE AMOUNT OF THE FEDERAL EARNED INCOME TAX CREDIT CLAIMED ON THE INDIVIDUAL'S FEDERAL INCOME TAX RETURN AND TO PROVIDE PROCEDURES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 411

BY PENCE

AN ACT

RELATING TO EDUCATION; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 33, IDAHO CODE, TO PROVIDE FOR THE QUALITY EDUCATOR LOAN ASSISTANCE PROGRAM ACT, TO PROVIDE RULEMAKING, TO DEFINE TERMS, TO PROVIDE DUTIES OF THE STATE DEPARTMENT OF EDUCATION REGARDING QUALITY CRITICAL EDUCATOR SHORTAGES, TO PROVIDE LOAN REPAYMENT ASSISTANCE AND REQUIRE RELATED DOCUMENTATION AND TO PROVIDE FOR FUNDING AND PRIORITIES.

HOUSE BILL NO. 412

BY JORDAN

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-3726, IDAHO CODE, TO PROVIDE FOR THE TUITION STABILIZATION ACCOUNT IN THE HIGHER EDUCATION STABILIZATION FUND.

HOUSE BILL NO. 413

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO MAKE A CODIFIER'S CORRECTION; AND AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420P, IDAHO CODE, TO PROVIDE FOR THE IDAHO FRIENDS OF THE OROFINO MANIACS PLATES.

HOUSE BILL NO. 414

BY CHEW

AN ACT

RELATING TO INCOME TAX; AMENDING SECTION 63-3029A, IDAHO CODE, TO PROVIDE FOR AN INCOME TAX CREDIT FOR A CERTAIN CHARITABLE CONTRIBUTION; AMENDING SECTION 63-3029A, IDAHO CODE, AS AMENDED BY SECTION 5, CHAPTER 209, LAWS OF 2015, TO PROVIDE FOR AN INCOME TAX CREDIT FOR A CERTAIN CHARITABLE CONTRIBUTION; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 415

BY KING

AN ACT

RELATING TO POLITICAL EXPENDITURES BY CORPORATIONS; AMENDING SECTION 30-29-140, IDAHO CODE, TO ADD A DEFINITION OF "POLITICAL EXPENDITURE" AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-733, IDAHO CODE, TO PROVIDE DEFINITIONS, TO REQUIRE SHAREHOLDER APPROVAL OF CERTAIN POLITICAL EXPENDITURES BY CORPORATIONS, TO PROVIDE FOR REPORTING REQUIREMENTS, TO PROVIDE FOR ENFORCEMENT BY THE ATTORNEY GENERAL AND TO PROHIBIT A POLITICAL CONTRIBUTION UNDER CERTAIN CIRCUMSTANCES.

HOUSE BILL NO. 416

BY CHEW

AN ACT

RELATING TO CHILDREN'S HEALTH INSURANCE PROGRAM; AMENDING SECTION 56-239, IDAHO CODE, TO REVISE ELIGIBILITY CRITERIA.

HOUSE BILL NO. 417

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO RURAL DEVELOPMENT PARTNERSHIP ACT; AMENDING SECTION 67-9003, IDAHO CODE, TO DEFINE A TERM AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-9005, IDAHO CODE, TO REVISE RESPONSIBILITIES OF THE PARTNERSHIP AND TO PROVIDE FOR AN ANNUAL REPORT TO THE GOVERNOR; AMENDING SECTION 67-9006, IDAHO CODE, TO REVISE BOARD OF DIRECTOR MEMBERSHIP PROVISIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-9007, IDAHO CODE, TO REVISE COCHAIR APPOINTMENT PROVISIONS AND TO PROVIDE THAT THE COCHAIRS SHALL MANAGE THE PARTNERSHIP BUDGET AND STAFF SUBJECT TO APPROVAL BY THE BOARD OF DIRECTORS; AND AMENDING SECTION 67-9008, IDAHO CODE, TO REMOVE A PROVISION THAT THE EXECUTIVE DIRECTOR BE AN EXEMPT, FULL-TIME POSITION WITHIN A DEPARTMENT OF THE EXECUTIVE BRANCH.

HOUSE BILL NO. 418

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO THE WHEAT COMMISSION; AMENDING SECTION 22-3309, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 22-3312, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DUTIES OF THE EXECUTIVE DIRECTOR; AND AMENDING SECTION 22-3316, IDAHO CODE, TO REMOVE REFERENCE TO INVOICES BEING SUPPLIED BY THE COMMISSION.

HOUSE BILL NO. 419

BY JORDAN

AN ACT

RELATING TO TAXATION; AMENDING CHAPTER 1, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-120, IDAHO CODE, TO CREATE THE IDAHO

TAX REVIEW COMMISSION AND TO PROVIDE FOR MEMBERS AND TERMS; AND AMENDING CHAPTER 1, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-121, IDAHO CODE, TO PROVIDE THAT THE IDAHO TAX REVIEW COMMISSION SHALL REVIEW EXEMPTIONS TO THE SALES AND USE TAX, TO DEFINE A TERM AND TO PROVIDE FOR REVIEW OF VARIOUS IDAHO CODE SECTIONS PROVIDING SALES TAX EXEMPTIONS BY A CERTAIN TIME.

HOUSE BILL NO. 420

BY NATE

AN ACT

RELATING TO THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-125C, IDAHO CODE, TO PROVIDE DUTIES OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION REGARDING THE SMARTER BALANCED ASSESSMENT CONSORTIUM; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 421

BY NATE

AN ACT

RELATING TO THE HEALTH INSURANCE EXCHANGE; REPEALING CHAPTER 61, TITLE 41, IDAHO CODE, RELATING TO THE IDAHO HEALTH INSURANCE EXCHANGE ACT; AND AMENDING SECTION 19-854, IDAHO CODE, TO REMOVE REFERENCE TO THE IDAHO HEALTH INSURANCE EXCHANGE.

HOUSE BILL NO. 422

BY SCOTT AND NATE

AN ACT

RELATING TO CONCEALED WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO PROVIDE THAT ANY PERSON TWENTY-ONE YEARS OF AGE OR OLDER MAY CARRY CONCEALED WEAPONS WITHOUT A LICENSE SUBJECT TO CERTAIN CONDITIONS, TO PROVIDE THAT A PERSON QUALIFIED TO CARRY CONCEALED WEAPONS MAY APPLY FOR AN OPTIONAL LICENSE, TO PROVIDE A PENALTY, TO REMOVE REFERENCE TO A TEMPORARY EMERGENCY LICENSE, TO PROVIDE CORRECT CODE REFERENCES AND TO REMOVE A CODE REFERENCE; AND AMENDING SECTION 18-3302K, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

HOUSE BILL NO. 423

BY NATE AND SCOTT

AN ACT

RELATING TO CONCEALED WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO PROVIDE THAT NO CONCEALED WEAPONS LICENSE SHALL BE REQUIRED TO CARRY A CONCEALED WEAPON ON PRIVATE PROPERTY IF THE CARRIER HAS NOT BEEN FORBIDDEN FROM DOING SO, NOR SHALL A LICENSE BE REQUIRED TO CARRY A CONCEALED WEAPON OUTSIDE OF OTHERWISE STATE OR FEDERALLY PROHIBITED AREAS WITHIN CITY LIMITS AND TO PROVIDE A CORRECT CODE REFERENCE.

HOUSE BILL NO. 424

BY RUDOLPH

AN ACT

RELATING TO INCOME TAXATION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029S, IDAHO CODE, TO PROVIDE A STATE INCOME TAX CREDIT FOR IDAHO POSTSECONDARY INSTITUTION TUITION AND FEE PAYMENTS ON BEHALF OF AN EMPLOYEE OF A TAXPAYER; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 425

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO TAXES; AMENDING SECTION 63-3004, IDAHO CODE, TO UPDATE REFERENCES TO THE INTERNAL REVENUE CODE AND TO ADD LANGUAGE REGARDING MARRIAGE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 426

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO STATE'S GUARANTY AND BONDHOLDERS; AMENDING SECTION 33-5303, IDAHO CODE, TO PROVIDE THAT GUARANTEED BONDS THAT ARE ADVANCE REFUNDED AND BOND PROCEEDS HELD IN ESCROW NO LONGER HAVE THE BENEFIT OF THE GUARANTY PROVIDED BY CHAPTER 53, TITLE 33, IDAHO CODE, FROM AND AFTER THE DATE ON WHICH THE PROCEEDS FROM THE ADVANCE REFUNDING HAVE BEEN PLACED IN AN IRREVOCABLE ESCROW AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 427

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO BOND BANK ADMINISTRATIVE FUND; AMENDING SECTION 67-8729, IDAHO CODE, TO APPROPRIATE FUNDS TO THE IDAHO BOND BANK AUTHORITY AND TO AUTHORIZE REIMBURSEMENT OF COSTS INCURRED BY THE STATE TREASURER.

HOUSE JOINT RESOLUTION NO. 2

BY WINTROW

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE I, OF THE CONSTITUTION OF THE STATE OF IDAHO, BY THE ADDITION OF A NEW SECTION 24, ARTICLE I, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO THE EQUALITY OF RIGHTS AND RESPONSIBILITIES OF THE SEXES; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

HOUSE JOINT RESOLUTION NO. 3

BY MCCROSTIE AND ERPELDING

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF IDAHO RELATING TO MARRIAGE; BY REPEALING SECTION 28, ARTICLE

III, OF THE CONSTITUTION OF THE STATE OF IDAHO, THAT PROVIDES A MARRIAGE BETWEEN A MAN AND A WOMAN IS THE ONLY DOMESTIC LEGAL UNION THAT SHALL BE VALID OR RECOGNIZED IN THIS STATE; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

[H 400](#), [H 401](#), [H 402](#), [H 403](#), [H 404](#), [H 405](#), [H 406](#), [H 407](#), [H 408](#), [H 409](#), [H 410](#), [H 411](#), [H 412](#), [H 413](#), [H 414](#), [H 415](#), [H 416](#), [H 417](#), [H 418](#), [H 419](#), [H 420](#), [H 421](#), [H 422](#), [H 423](#), [H 424](#), [H 425](#), [H 426](#), [H 427](#), [HJR 2](#), and [HJR 3](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1197](#), by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[S 1206](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

10TH ORDER

Second Reading of Bills and Joint Resolutions

[H 384](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[H 372](#), by Business Committee, was read the second time by title and filed for third reading.

[H 362](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1201](#), by Finance Committee, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Fifth Order of Business.

5TH ORDER

Report of Standing Committees

January 29, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 425](#).

WILLS, Chairman

[H 425](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

7TH ORDER

Motions, Memorials, and Resolutions

[H 425](#) - TAXES

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 425](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 425](#) be read the first time by title, second time by title, and third time at

length, section by section, and placed before the House for final consideration. Seconded by Mr. Crane.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Kauffman, Kerby, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel(Green), Rudolph, Rusche(Van Tassel), Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wood, Youngblood, Mr. Speaker. Total – 62.

NAYS – Jordan, King, McCrostie, Nate, Scott, Wintrow. Total – 6.

Absent – Boyle, Horman. Total – 2.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 425](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Trujillo to open debate.

Mr. Nate asked unanimous consent that, pursuant to Rule 22, discussion of [H 354](#) be allowed in debate of [H 425](#). There being no objection it was so ordered.

Mrs. Scott moved to Lay on the Table [H 425](#). Mr. Nate seconded the motion.

Roll call resulted as follows:

AYES – Dixon, Jordan, King, McCrostie, Nate, Nielsen, Scott, Shepherd. Total – 8.

NAYS – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Kauffman, Kerby, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel(Green), Rudolph, Rusche(Van Tassel), Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 61.

Absent – Horman. Total – 1.

Total – 70.

Whereupon the Speaker declared the motion failed.

The question being, "Shall [H 425](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Bell, Beyeler, Burtenshaw, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Erpelding, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Horman, Kauffman, Kerby, Loertscher, Luker, Malek, McDonald, Mendive, Miller, Monks, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rudolph, Rusche(Van Tassel), Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 54.

NAYS – Batt, Boyle, Chew, Dixon, Gannon, Jordan, King, Kloc, McCrostie, McMillan, Nate, Nye, Rubel(Green), Scott, Shepherd, Sims. Total – 16.

Paired Votes:

AYE – Horman

NAY – McMillan

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that [H 425](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

11TH ORDER

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 1, 2016. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

15TH ORDER

Announcements

Announcements were made to the body.

16TH ORDER

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Monday, February 1, 2016. Seconded by Ms. Pence. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:07 p.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk